

**UNITED STATES DISTRICT COURT
FOR THE NORTHERN DISTRICT OF TEXAS
DALLAS DIVISION**

**ZENIMAX MEDIA, INC. and
ID SOFTWARE, LLC,
Plaintiffs,**

v.

**OCULUS VR, INC., et al.,
Defendants.**

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No. 3:14-CV-1849-P (BF)

ORDER

Before the Court is Defendants' Motion to Strike Plaintiffs' Reply Memorandum and Appendix, or in the Alternative, Motion for Leave to File Sur-Reply [D.E. 149] referred to the United States Magistrate Judge for determination. *See* Electronic Order Referring Mot. [D.E. 150]. In this motion, Defendants seek to strike Plaintiffs' reply [D.E. 147] and appendix [D.E. 148] filed in support of Plaintiffs' motion to compel [D.E. 121], because Defendants contend that Plaintiffs raise new arguments in their reply, and because the Local Rules require parties to seek leave prior to filing an appendix in support of a reply. *See* Mot. to Strike [D.E. 149 at 1-2]. In the alternative, Defendants seek to file a sur-rely and a supporting appendix to address the new arguments raised in Plaintiffs' reply and appendix. *See id.* [D.E. 149 at 2]. Because the Court has denied without prejudice Plaintiffs' motion to compel [D.E. 121], Defendants' motion to strike [D.E. 149] is DENIED as moot. *See* Order [D.E. 219].

SO ORDERED, October 8, 2015.



PAUL D. STICKNEY
UNITED STATES MAGISTRATE JUDGE